

1 **LOREN S. YOUNG, ESQ.**  
Nevada Bar No. 7567  
2 **LINCOLN, GUSTAFSON & CERCOS, LLP**  
*ATTORNEYS AT LAW*  
3 3960 Howard Hughes Parkway, Suite 200  
Las Vegas, Nevada 89169  
4 Telephone: (702) 257-1997  
Facsimile: (702) 257-2203  
5 lyoung@lgclawoffice.com

6 Attorneys for Defendant, TARGET CORPORATION

7  
8  
9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11  
12 PATRIC LAMB,

13 Plaintiff,

14 v.

15 TARGET CORPORATION, a Foreign  
Corporation; DOES 1-20, and ROE BUSINESS  
16 ENTITIES 1-20,

17 Defendants.

CASE NO.:

**DECLARATION OF LOREN S.  
YOUNG IN SUPPORT OF NOTICE OF  
REMOVAL OF ACTION UNDER 28  
U.S.C. § 1441(b) (DIVERSITY)**

18  
19 I, LOREN S. YOUNG, declare as follows:

20 1. I am an attorney duly licensed to practice law before all the courts of the State of Nevada  
21 and the United States District Court for the District of Nevada. I am a partner in the law firm of Lincoln,  
22 Gustafson & Cercos, LLP, attorneys of record for Defendant TARGET CORPORATION (hereinafter,  
23 "Defendant" or "Target"). I am personally familiar with the within stated facts and would and could  
24 testify based upon personal knowledge of the same, and as to those facts stated on information and  
25 belief, I believe them to be true.

26 2. A true and correct copy of the Complaint filed by Plaintiff Patric Lamb (hereinafter,  
27 "Plaintiff") in the District Court of Clark County, State of Nevada, entitled *Patric Lamb v. Target*  
28

1 *Corporation, a Foreign Corporation, Does 1-20, and Roe Business Entities 1-20*, Case No. A-20-  
2 810292-C (“Complaint”), is attached hereto as Exhibit “A.”

3 3. A true and correct copy of the Summons that was served with the above-referenced  
4 Complaint on Defendant is attached hereto as Exhibit “B.”

5 4. On information and belief, Defendant was served with a copy of the Summons and  
6 Complaint on or about February 12, 2020.

7 5. The amount in controversy is not stated in the Complaint. The Complaint states that  
8 Plaintiff seeks general and special damages in excess of \$15,000.

9 6. After being served with Plaintiff’s Complaint, Target’s counsel sent Plaintiff’s counsel  
10 an email on February 25, 2020, requesting a discussion regarding this lawsuit as Target Corporation  
11 and Target’s counsel have little information on this matter outside of the Complaint filed on February  
12 11, 2020. On February 25, 2020, Plaintiff’s counsel responded to Target’s counsel that Plaintiff  
13 presently has \$47,331.23 in medical expenses. Accordingly, it appears that Plaintiff in fact does seek  
14 damages in excess of \$75,000.00 in this matter.

15 7. A true and correct copy of Target’s February 25, 2020 email to Plaintiff’s counsel  
16 regarding requesting a discussion regarding this lawsuit is attached hereto as Exhibit “C.”

17 8. A true and correct copy of Plaintiff’s counsel’s email dated February 25, 2020 indicating  
18 Plaintiff presently has \$47,331.23 in medical expenses is attached hereto as Exhibit “D.”

19 9. Defendant Target Corporation’s Answer to Plaintiff’s Complaint was filed and served  
20 on March 3, 2020.

21 10. A true and correct copy of Defendant’s Answer is attached hereto as Exhibit “E.”

22 11. On information and belief, Defendant was and is a corporation incorporated under the  
23 laws of the State of Minnesota, having its principal place of business in the State of Minnesota, and is  
24 the only Defendant that has been served with the Summons and Complaint in this action.

25 12. On information and belief, Defendant’s corporate headquarters are located in the State  
26 of Minnesota, where the company’s executive and administrative functions are performed.

27 ///


13. This Notice of Removal is filed less than one (1) year after the commencement of the action.

14. This case is filed within thirty (30) days after service of Plaintiff's Complaint and within (30) days after it became first ascertained that the amount in controversy requirement is satisfied for the reasons set forth above and in the Notice of Removal filed herewith.

15. Defendant is serving a written notice of the removal to all adverse parties, including Plaintiff, and will file a copy of the notice with the clerk of the District Court of Clark County, State of Nevada, where this action is currently pending.

I declare under penalty of perjury under the laws of the United States and the State of Nevada that the foregoing is true and correct, and if called upon to testify to the facts thereto, could and would do so competently.

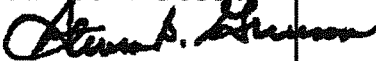
Executed on March 12, 2020, in Las Vegas, Nevada.

  
LOREN S. YOUNG

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# Exhibit “A”

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Steven D. Grierson  
CLERK OF THE COURT



CASE NO: A-20-810292-C  
Department 16

1 **COMP**

2 **RICHARD A. HARRIS, ESQ.**

3 Nevada State Bar No.: 550

4 **CHARLES S. JACKSON, ESQ.**

5 Nevada State Bar No.: 13158

6 **RICHARD HARRIS LAW FIRM**

7 801 South Fourth Street

8 Las Vegas, Nevada 89101

9 Phone (702) 444-4444

10 Fax (702) 444-4455

11 Email: charlie@richardharrislaw.com

12 *Attorneys for Plaintiff*

13 **DISTRICT COURT**  
14 **CLARK COUNTY, NEVADA**

15 **PATRIC LAMB, individually;**

16 **Plaintiff,**

17 **vs.**

18 **TARGET CORPORATION, A Foreign**  
19 **Corporation; DOES 1-20 and ROE BUSINESS**  
20 **ENTITIES 1-20;**

21 **Defendants.**

CASE NO.:  
DEPT. NO.:

**COMPLAINT**

22 Plaintiff PATRIC LAMB, by and through his attorneys of record, Charles S. Jackson, Esq.  
23 of THE RICHARD HARRIS LAW FIRM, complains against Defendants, an each of them, as  
24 follows:

25 **///**

26 **///**

27 **///**

**GENERAL ALLEGATIONS**

1. That Plaintiff PATRIC LAMB (hereinafter "Plaintiff") is, and at all times mentioned herein was, a resident of Clark County, Nevada.
2. That Defendant TARGET CORPORATION (Defendant TARGET) is, and at all times mentioned herein was, a foreign corporation or other business entity, licensed to do business in the County of Clark, State of Nevada and owns the property located at 605 N. Stephanie Street, Henderson, Nevada 89014 ("the Property").
3. That Defendants DOES 1-5 and ROE BUSINESS ENTITIES 1-5 are other owners or operators of the Property.
4. That Defendants DOES 6-10 and ROE BUSINESS ENTITIES 6-10 are the managers or controllers of common areas of the Property.
5. That Defendants DOES 11-15 and ROE BUSINESS ENTITIES 11-15 are the designers and maintenance providers for the Property.
6. That Defendants DOES 16-20 and ROE BUSINESS ENTITIES 16-20 are the construction companies, sub-contractors, vendors, inspectors or other persons responsible for the installation and construction of the area on the Property where the subject incident occurred.
7. That the true names and capacities of the Defendants designated herein as DOE or ROE CORPORATIONS are presently unknown to Plaintiff at this time, therefore, Plaintiff sues said Defendants by fictitious names. When the true names and capacities of these defendants are ascertained, Plaintiff will amend this Complaint accordingly.
8. That at all times pertinent, Defendants were agents, servants, employees or joint venturers of every other Defendant herein, and at all times mentioned herein were



- 1 acting within the scope and course of said agency, employment, or joint venture,  
2 with knowledge and permission and consent of all other named Defendants.
- 3 9. Plaintiff alleges that each of the Defendants designated as DOE or ROE  
4 Defendants is responsible in some manner for the damages alleged herein.
- 5  
6 10. That on or about April 20, 2018, in Clark County, Nevada, PATRIC LAMB was  
7 lawfully present at the Property.
- 8  
9 11. PATRIC LAMB was walking out of the restroom on the Property and slipped and  
10 fell on a liquid on the floor.
- 11  
12 12. Defendants knew that the flooring posed a continuing dangerous condition to  
13 Plaintiff and other similarly situated when it was wet.
- 14  
15 13. Defendants maintained and were in control of the Property.
- 16  
17 14. Defendants failed to follow their own policies and procedures and continually  
18 failed to follow their own policies and procedures such that the risk of the wet  
19 floor posed a permanent dangerous condition to Plaintiff and others similarly  
20 situated.
- 21  
22 15. Defendants had insufficient policies and procedures to protect Plaintiff and others  
23 similarly situated from slips and falls on wet flooring like the one Plaintiff  
24 suffered.
- 25  
26 16. Defendants, and each of them, failed to place signs, caution, warn, or otherwise  
27 make safe, the dangerous condition existing on or about the Property.
- 28  
17. Defendants negligently, carelessly, and recklessly maintained the area on the  
Property at or near the area where Plaintiff fell.
18. Defendants, and each of them, should have warned or otherwise made safe the  
dangerous condition because that condition was non-obvious to Plaintiff.
19. That as a direct and proximate result of the negligence of all Defendants, Plaintiff  
sustained injuries to his back, hip, bodily limbs, organs and systems, all or some



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of which condition may be permanent and disabling, and all to Plaintiff's damage in a sum in excess of \$15,000.

20. That as a direct and proximate result of the negligence of all Defendants, Plaintiff received medical and other treatment for the aforementioned injuries, and that said services, care, and treatment are continuing and shall continue in the future, all to the damage of Plaintiff.
21. That as a direct and proximate result of the negligence of all Defendants, Plaintiff has been required to, and has limited occupational and recreational activities, which have caused and shall continue to cause Plaintiff physical impairment, mental anguish, and loss of enjoyment of life, in a presently unascertainable amount.
22. That as a direct and proximate result of the aforementioned negligence of all Defendants, Plaintiff has been required to engage the services of an attorney, incurring attorney's fees and costs to bring this action.

**FIRST CAUSE OF ACTION**

**(Negligence)**

23. Plaintiff hereby incorporates the foregoing paragraphs as if fully set forth herein.
24. Defendants owed Plaintiff a duty of care to warn Plaintiff of the non-obvious and dangerous condition.
25. Defendants breached this duty of care by failing to place caution signs, or otherwise failing to warn Plaintiff of the dangerous, non-obvious condition.
26. Defendants' negligence directly and proximately caused Plaintiff serious injury.
27. As a direct and proximate result of Defendants' negligence, Plaintiff sustained damages in a sum in excess of \$15,000.

///  
///

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff, expressly reserves the right to amend this Complaint prior to or at the time of trial of this action to insert these items of damage not yet fully ascertainable, prays judgment against the Defendants, and each of them, as follows:

1. For special damages sustained by Plaintiff in excess of \$15,000.00;
2. For general damages sustained by Plaintiff in excess of \$15,000.00;
5. For reasonable attorney's fees and costs of suit;
6. For interest at the statutory rate, and
7. For such other relief as the Court deems just and proper.

Dated this 11th day of February, 2020.

**RICHARD HARRIS LAW FIRM**

*/s/ Charles Jackson*

---

CHARLES S. JACKSON, ESQ.  
Nevada Bar No.: 13158  
801 South Fourth Street  
Las Vegas, Nevada 89101  
*Attorneys for Plaintiff*

**DEMAND FOR JURY TRIAL**

Plaintiff, by and through his attorneys of record, RICHARD HARRIS LAW FIRM,  
hereby demands a jury trial of all of the issues in the above matter.

DATED this 11th day of February, 2020.

**RICHARD HARRIS LAW FIRM**

*/s/ CHARLES JACKSON*

---

CHARLES S. JACKSON, ESQ.  
Nevada Bar No. 13158  
301 South Fourth Street  
Las Vegas, Nevada 89101  
*Attorneys for Plaintiff*



# Exhibit “B”

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2/11/2020 3:57 PM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

PATRIC LAMB, individually;

Plaintiff,

vs.

**TARGET CORPORATION**, A Foreign  
Corporation; DOES 1-20 and ROE  
BUSINESS ENTITIES 1-20;

Defendants.

**CASE NO: A-20-810292-C  
Department 16**

Case No.:

Dept No.:

**SUMMONS**

**NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION BELOW**

To THE DEFENDANT(S): A civil Complaint has been filed by the Plaintiff(s) against you for the relief set forth in the Complaint.

**TARGET CORPORATION**

1. If you intend to defend this lawsuit, within 20 days after this Summons is served on you, exclusive of the day of service, you must do the following:

- a. File with the Clerk of this Court, whose address is shown below, a formal written response to the Complaint in accordance with the rules of the Court, with the appropriate filing fee.
- b. Serve a copy of your response upon the attorney whose name and address is shown below.

2. Unless you respond, your default will be entered upon application of the Plaintiff(s) and this Court may enter a judgment against you for the relief demanded in the Complaint, which could result in the taking of money or property or other relief requested in the Complaint.

3. If you intend to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.

4. The State of Nevada, its political subdivisions, agencies, officers, employees, board members, commission members and legislators, each have 45 days after service of this summons within which to file an answer or other responsive pleading to the complaint.

Issued at the direction of  
RICHARD HARRIS LAW FIRM  
/s/ Charles Jackson

By: \_\_\_\_\_

Charles S. Jackson, Esq.  
Nevada Bar No. 13158  
801 South 4<sup>th</sup> Street  
Las Vegas, Nevada 89101

**STEVEN D. GRIERSON  
CLERK OF COURT**

*Marie Kramer* 2/12/2020  
Deputy Clerk Date  
Marie Kramer

Exhibit “C”

**Barbara Pederson**

---

**From:** Loren Young  
**Sent:** Tuesday, February 25, 2020 3:30 PM  
**To:** charlie@richardharrislaw.com  
**Cc:** Barbara Pederson  
**Subject:** Lamb, Patric v. Target

Hello Mr. Jackson:

My firm was recently retained to represent Target Corporation in this matter. I would like to discuss the case as I have little information outside of the complaint. When do you have some time to talk?

**Loren S. Young, Esq.**  
Managing Partner - Nevada  
**LINCOLN, GUSTAFSON & CERCOS LLP**  
Experience. Integrity. Results.  
California Nevada Arizona

550 West "C" Street, Suite 1400  
San Diego, California 92101  
619.233.1150; 619.233.6949 Fax

3960 Howard Hughes Parkway, Suite 200  
Las Vegas, Nevada 89169  
702.257.1997; 702.257.2203 Fax

2415 E. Camelback Rd., Suite 700  
Phoenix, Arizona 85016  
602.606.5735; 602.508.6099 Fax

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# Exhibit “D”

## Barbara Pederson

---

**From:** Charlie Jackson <Charlie@richardharrislaw.com>  
**Sent:** Tuesday, February 25, 2020 5:02 PM  
**To:** Loren Young  
**Cc:** Barbara Pederson  
**Subject:** RE: Lamb, Patric v. Target

Mr. Lamb underwent a leg injury which ultimately required a surgery. He presently has \$47,331.23 in medical expenses. However, to my knowledge he does not need to continue with medical treatment, at this time.

**Charles Jackson**  
Attorney



801 South 4th Street Las Vegas, NV 89101  
tel (702) 444-4444 fax (702) 444-4455



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**From:** Loren Young <lyoung@lgclawoffice.com>  
**Sent:** Tuesday, February 25, 2020 4:50 PM  
**To:** Charlie Jackson <Charlie@richardharrislaw.com>  
**Cc:** Barbara Pederson <BPederson@lgclawoffice.com>  
**Subject:** Re: Lamb, Patric v. Target

Thanks for the response. The only information I have so far is from the complaint that Plaintiff fell either near or inside the restroom. So any information and details regarding what happened and about Plaintiff like plaintiff's age, DOB, address, alleged injuries and the alleged damages, and what is Plaintiff's current condition (is he still treating or are the injuries resolved). My client wants to evaluate whether this case should be removed to Federal Court based on the damages.

I appreciate the information and look forward to working with you on this matter.

**Loren S. Young, Esq.**

Managing Partner - Nevada

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California Nevada Arizona

---

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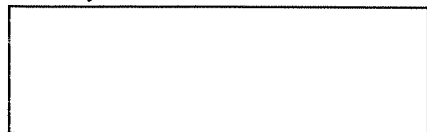
**From:** Charlie Jackson <Charlie@richardharrislaw.com>  
**Sent:** Tuesday, February 25, 2020 4:32 PM  
**To:** Loren Young <lyoung@lgclawoffice.com>  
**Cc:** Barbara Pederson <BPederson@lgclawoffice.com>  
**Subject:** RE: Lamb, Patric v. Target

Hey Mr. Young,

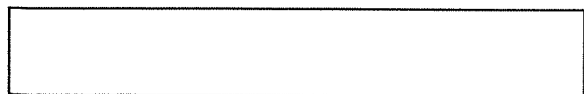
I am pretty busy but I may be able to speak to you tomorrow or Friday regarding this claim. Do you have any particular questions I can answer via email?

Thank you,

**Charles Jackson**  
Attorney



801 South 4th Street Las Vegas, NV 89101  
tel (702) 444-4444 fax (702) 444-4455



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non-paper transaction, and/or electronic signature under any and all electronic acts including the Uniform Electronic Transfer Act and/or the Electronic Signatures in Global and National Commerce Act.

**From:** Loren Young <lyoung@lgclawoffice.com>  
**Sent:** Tuesday, February 25, 2020 3:30 PM  
**To:** Charlie Jackson <Charlie@richardharrisllaw.com>  
**Cc:** Barbara Pederson <BPederson@lgclawoffice.com>  
**Subject:** Lamb, Patric v. Target

Hello Mr. Jackson:

My firm was recently retained to represent Target Corporation in this matter. I would like to discuss the case as I have little information outside of the complaint. When do you have some time to talk?

**Loren S. Young, Esq.**

Managing Partner - Nevada

**LINCOLN, GUSTAFSON & CERCOS LLP**

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**California Nevada Arizona**

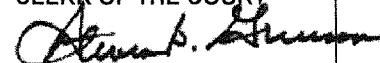
550 West "C" Street, Suite 1400 San Diego, California 92101 619.233.1150; 619.233.6949 Fax	3960 Howard Hughes Parkway, Suite 200 Las Vegas, Nevada 89169 702.257.1997; 702.257.2203 Fax	2415 E. Camelback Rd., Suite 700 Phoenix, Arizona 85016 602.606.5735; 602.508.6099 Fax
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Exhibit “E”

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1 **ANS**  
2 **LOREN S. YOUNG, ESQ.**  
3 Nevada Bar No. 7567  
4 **LINCOLN, GUSTAFSON & CERCOS, LLP**  
5 **ATTORNEYS AT LAW**  
6 3960 Howard Hughes Parkway, Suite 200  
7 Las Vegas, Nevada 89169  
8 Telephone: (702) 257-1997  
9 Facsimile: (702) 257-2203  
10 lyoung@lgclawoffice.com

11 Attorneys for Defendant, TARGET CORPORATION

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DISTRICT COURT  
CLARK COUNTY, NEVADA

PATRIC LAMB, individually,

Plaintiff,

v.

TARGET CORPORATION, a Foreign  
Corporation; DOES 1-20, and ROE BUSINESS  
ENTITIES 1-20,

Defendants.

CASE NO.: A-20-810292-C

DEPT. NO.: 16

**DEFENDANT TARGET  
CORPORATION'S ANSWER TO  
PLAINTIFF'S COMPLAINT**

COMES NOW, Defendant, TARGET CORPORATION (hereinafter "DEFENDANT"), by  
and through its counsel of record, the law firm of LINCOLN, GUSTAFSON & CERCOS, LLP, and  
responds to Plaintiff's Complaint, and admits, denies and alleges as follows:

**GENERAL ALLEGATIONS**

1. In answering the allegations in Plaintiff's Complaint, Paragraph 1, this answering  
Defendant is without sufficient knowledge and information necessary to form a belief as to the truth  
or veracity of said allegations and on that basis therefore denies the same.

2. In answering the allegations in Plaintiff's Complaint, Paragraph 2, this answering  
Defendant admits that Target Corporation was a foreign corporation licensed to do business in the  
County of Clark, State of Nevada. This answering Defendant denies the remaining averments.

1           3.     In answering the allegations in Plaintiff's Complaint, Paragraph 3, this answering  
2 Defendant is without sufficient knowledge and information necessary to form a belief as to the truth  
3 or veracity of said allegations and on that basis therefore denies the same.

4           4.     In answering the allegations in Plaintiff's Complaint, Paragraph 4, this answering  
5 Defendant is without sufficient knowledge and information necessary to form a belief as to the truth  
6 or veracity of said allegations and on that basis therefore denies the same.

7           5.     In answering the allegations in Plaintiff's Complaint, Paragraph 5, this answering  
8 Defendant is without sufficient knowledge and information necessary to form a belief as to the truth  
9 or veracity of said allegations and on that basis therefore denies the same.

10          6.     In answering the allegations in Plaintiff's Complaint, Paragraph 6, this answering  
11 Defendant is without sufficient knowledge and information necessary to form a belief as to the truth  
12 or veracity of said allegations and on that basis therefore denies the same.

13          7.     In answering the allegations in Plaintiff's Complaint, Paragraph 7, this answering  
14 Defendant is without sufficient knowledge and information necessary to form a belief as to the truth  
15 or veracity of said allegations and on that basis therefore denies the same.

16          8.     In answering the allegations in Plaintiff's Complaint, Paragraph 8, this answering  
17 Defendant is without sufficient knowledge and information necessary to form a belief as to the truth  
18 or veracity of said allegations and on that basis therefore denies the same.

19          9.     In answering the allegations in Plaintiff's Complaint, Paragraph 9, this answering  
20 Defendant is without sufficient knowledge and information necessary to form a belief as to the truth  
21 or veracity of said allegations and on that basis therefore denies the same.

22          10.    In answering the allegations in Plaintiff's Complaint, Paragraph 10, this answering  
23 Defendant is without sufficient knowledge and information necessary to form a belief as to the truth  
24 or veracity of said allegations and on that basis therefore denies the same.

25          11.    In answering the allegations in Plaintiff's Complaint, Paragraph 11, this answering  
26 Defendant is without sufficient knowledge and information necessary to form a belief as to the truth  
27 or veracity of said allegations and on that basis therefore denies the same.

28 ///

1           12. In answering the allegations in Plaintiff's Complaint, Paragraph 12, this answering  
2 Defendant denies the allegations contained therein.

3           13. In answering the allegations in Plaintiff's Complaint, Paragraph 13, this answering  
4 Defendant admits the allegations contained therein.

5           14. In answering the allegations in Plaintiff's Complaint, Paragraph 14, this answering  
6 Defendant denies the allegations contained therein.

7           15. In answering the allegations in Plaintiff's Complaint, Paragraph 15, this answering  
8 Defendant denies the allegations contained therein.

9           16. In answering the allegations in Plaintiff's Complaint, Paragraph 16, this answering  
10 Defendant denies the allegations contained therein.

11           17. In answering the allegations in Plaintiff's Complaint, Paragraph 17, this answering  
12 Defendant denies the allegations contained therein.

13           18. In answering the allegations in Plaintiff's Complaint, Paragraph 18, this answering  
14 Defendant denies the allegations contained therein.

15           19. In answering the allegations in Plaintiff's Complaint, Paragraph 19, this answering  
16 Defendant denies the allegations contained therein.

17           20. In answering the allegations in Plaintiff's Complaint, Paragraph 20, this answering  
18 Defendant denies the allegations contained therein.

19           21. In answering the allegations in Plaintiff's Complaint, Paragraph 21, this answering  
20 Defendant denies the allegations contained therein.

21           22. In answering the allegations in Plaintiff's Complaint, Paragraph 22, this answering  
22 Defendant denies the allegations contained therein.

23                           **FIRST CAUSE OF ACTION**

24                                   **(Negligence)**

25           23. In answering the allegations in Plaintiff's Complaint, Paragraph 23 this answering  
26 Defendant incorporates by reference its responses set forth in paragraphs 1 through 22.

27           24. In answering the allegations in Plaintiff's Complaint, Paragraph 24, this answering  
28 Defendant states the allegations therein constitute conclusions of law and, thus, require no answer.

1 However, to the extent they constitute allegations of fact, upon information and belief, Defendant  
2 denies the allegations contained therein.

3 25. In answering the allegations in Plaintiff's Complaint, Paragraph 25, this answering  
4 Defendant denies the allegations contained therein.

5 26. In answering the allegations in Plaintiff's Complaint, Paragraph 26, this answering  
6 Defendant denies the allegations contained therein.

7 27. In answering the allegations in Plaintiff's Complaint, Paragraph 27, this answering  
8 Defendant denies the allegations contained therein.

9 **AFFIRMATIVE DEFENSES**

10 **I.**

11 This answering Defendant is informed and believes and thereon alleges that Plaintiff's  
12 Complaint, and each and every cause of action contained therein, fails to state facts sufficient to  
13 constitute a cause of action against this answering Defendant.

14 **II.**

15 This answering Defendant is informed and believes and thereon alleges that the claims of  
16 Plaintiff are reduced, modified and/or barred by the doctrine of unclean hands of Plaintiff and/or other  
17 entities or individuals, whether or not parties herein.

18 **III.**

19 This answering Defendant is informed and believes and thereon alleges that the claims of  
20 Plaintiff are reduced, modified and/or barred by the doctrine of laches.

21 **IV.**

22 This answering Defendant is informed and believes and thereon alleges that Plaintiff, by his  
23 conduct, and/or by the conduct of other entities and/or individuals, whether or not parties herein, are  
24 estopped from asserting any claim(s) for damages or seeking any other relief against this answering  
25 Defendant.

26 ///

27 ///

28 ///

1 V.

2 This answering Defendant is informed and believes and thereon alleges that the causes of  
3 action set forth in the Complaint are barred pursuant to the provisions of NRS Sections 11.190, 11.202,  
4 11.2055, et seq.

5 VI.

6 This answering Defendant is informed and believes and thereon alleges that damages suffered  
7 by Plaintiff, if any, were the direct and proximate result of the negligence of parties, persons,  
8 corporations and/or entities other than this answering Defendant, and that the liability of this answering  
9 Defendant, if any, is limited in direct proportion to the percentage of fault actually attributable to this  
10 answering Defendant.

11 VII.

12 This answering Defendant is informed and believes and thereon alleges that at all times  
13 mentioned herein, Plaintiff was negligent, careless, reckless, and unlawfully conducted himself so as  
14 to directly and proximately contribute to the happening of the incident and the occurrence of Plaintiff's  
15 claimed damages, all of which said negligence either bars completely or partially the damages sought  
16 herein.

17 VIII.

18 This answering Defendant is informed and believes and thereon alleges that Plaintiff has failed  
19 to exercise reasonable care and diligence to avoid loss and to minimize damages if any and, therefore,  
20 Plaintiff may not recover for losses which could have been prevented by reasonable efforts on his part,  
21 or by expenditures that might reasonably have been made, and, therefore, Plaintiff's recovery, if  
22 any, should be reduced by the failure of Plaintiff to mitigate his damages.

23 IX.

24 This answering Defendant is informed and believes and thereon alleges that the injuries and  
25 damages of which Plaintiff complains were proximately caused by or contributed to by the acts of  
26 other Defendants, persons and/or other entities and that said acts were intervening and superseding  
27 causes of the injuries and damages, if any, of which Plaintiff complains, thus barring Plaintiff from  
28 any recovery against this answering Defendant.

1 X.

2 This answering Defendant is informed and believes and thereon alleges that Plaintiff expressly,  
3 voluntarily and knowingly assumed all risks about which he complains in his Complaint, and  
4 therefore, is barred either totally or to the extent of said assumption from any damages.

5 XI.

6 It has been necessary for this answering Defendant to retain the services of an attorney to  
7 prosecute this action and it is entitled to a reasonable sum as and for attorneys' fees.

8 XII.

9 At all times relevant herein, this answering Defendant acted diligently and with due care in the  
10 performance of any duty owed to Plaintiff, if any.

11 XIII.

12 The incident alleged in Plaintiff's Complaint, and resulting damages, if any, were caused or  
13 contributed to by Plaintiff's own negligence which was greater than any negligence attributed to this  
14 answering Defendant, which is expressly denied by this answering Defendant.

15 XIV.

16 This answering Defendant is informed and believes and thereon alleges that Plaintiff is barred  
17 from recovery of any special damages for failure to specifically allege the types of special damages  
18 pursuant to NRCP 9(g).

19 XV.

20 This answering Defendant alleges that the damages, if any, to Plaintiff, as alleged, were  
21 proximately caused by a new, independent, and efficient intervening cause and not by any alleged  
22 negligence on the part of this answering Defendant.

23 XVI.

24 Pursuant to N.R.C.P. 11, as amended, all possible affirmative defenses may not have been  
25 alleged herein insofar as sufficient facts were not available after reasonable inquiry upon the filing of  
26 Defendant's Answer and, therefore, this answering Defendant reserves the right to amend this Answer  
27 to allege additional affirmative defenses, if subsequent investigation so warrants.

28 ///

1 WHEREFORE, Defendant prays for judgment as follows:

2 1. That Defendant has judgment against Plaintiff dismissing the Complaint on its merits;

3 2. That Defendant has judgment against Plaintiff for its reasonable attorneys' fees and  
4 costs of suit; and

5 3. For such other and further relief as the court deems just and proper.

6 DATED this 2 day of March, 2020.

7 **LINCOLN, GUSTAFSON & CERCOS, LLP**

8  
9 **LOREN S. YOUNG, ESQ.**

10 Nevada Bar No. 7567

11 3960 Howard Hughes Parkway, Suite 200

12 Las Vegas, Nevada 89169

13 Attorneys for Defendant, TARGET CORPORATION

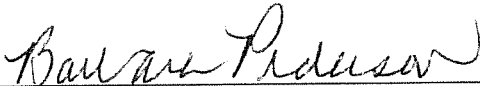
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**Patric Lamb v. Target Corporation**  
**Clark County Case No. A-20-810292-C**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 3<sup>rd</sup> day of March, 2020, I served a copy of the attached  
**DEFENDANT TARGET CORPORATION'S ANSWER TO PLAINTIFF'S COMPLAINT** via  
electronic service to all parties on the Odyssey E-Service Master List as follows:

Charles S. Jackson, Esq.  
RICHARD HARRIS LAW FIRM  
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Las Vegas, NV 89101  
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